

REMARKS/ARGUMENTS

Upon entry of the instant amendment, claims 1-13 are pending. Claim 1 has been amended to more particularly point out the applicant's invention. A three month extension of time is being requested herewith. Should any fees be required, the Commissioner is hereby authorized to charge Deposit Account No. 50-1214. It is respectfully submitted that upon entry of the instant amendment, the application is in condition for allowance.

CLAIM REJECTIONS – 35 U.S.C. § 103

Claims 1-13 have been rejected under 35 U.S.C. § 103 as being unpatentable over Darbee et al (U.S. Patent No. 6,130,726) in view of Wood et al (U.S. Patent Publication No. US 2002/0057893 A1). It is respectfully submitted that the claims, as amended, define subject matter not disclosed or suggested by either the Darbee et al patent or the Wood et al patent publication. In particular, the claims recite a remote control device that displays a list of digital content stored on a remote computing platform. The remote control device also allows stored digital content to be selected and played. The Darbee et al patent is also a remote control device but for a consumer electronic device. The Darbee et al patent displays a TV program guide, for example which enables available *broadcast* TV programs to be displayed and played. The Moroney patent discloses a set top box that can store digital content. The Applicant agrees with the Examiner that the Darbee et al patent fails to teach a remote computing platform.


The Wood et al patent publication discloses a remote control device for selecting a video source from a variety of video sources to be stored. Although the Wood et al patent publication discloses a personal computer, the use of the personal computer is to control a VCR ("A device such as personal computer 24 can be connected to the digital VCR 10 through the serial ports 144a-b to control the digital VCR 10." Paragraph [0029]). Thus, the Wood et al patent publication does not disclose a remote control device for displaying and initiating playback of digital content stored on a personal computer. Rather, the Wood et al system is more complicated

and requires all content to be stored on a VCR and assigned a "personal channel" (See paragraph [0100] for example.) Thus, using the system disclosed in the Wood et al patent publication, any digital content stored on the personal computer would somehow have to be recorded on a "personal channel" using the VCR. The present invention is much simpler and allows for playback of stored digital content directly from the computing platform. As such , it is respectfully submitted that neither the Darbee et al patent nor the Wood et al patent publication disclose or suggest the invention recited in the claims at issue. Accordingly, the Examiner is respectfully requested to reconsider and withdraw this rejection.

Respectfully submitted,

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